

REMARKS

Claims 1-54 are pending in the present application, claims 1-15 and 43-54 are withdrawn from consideration, and claims 17-19 and 29-42 stand allowed. According to the Advisory Action, claims 16 and 20-28 stand rejected and the PTO objects to claim 16. Claims 16, 20 and 23 are currently amended to more particularly point out and distinctly claim the encompassed subject matter and to place the application in condition for allowance. Claims 1-15 and 43-54 are canceled by the amendment submitted herewith without prejudice to the prosecution of the encompassed subject matter in any related continuation or divisional application. Support for the present amendments can be found throughout the specification and claims as originally filed, including, for example, at page 18, lines 5-7; at page 25, lines 16-17 and 21-22; in original claim 20, and elsewhere. No new matter is added by the present amendments.

CLAIM OBJECTION

Claim 16 is objected to because of the following informalities: Step (k) of claim 16 recites “Dnasel” which should be replaced with “Dnase I”. According to the Examiner’s suggestion, step (k) of claim 16 as presently amended recites “Dnase I.” Entry of the present amendment in view of the entirety of the present Remarks is respectfully requested.

REJECTION UNDER 35 U.S.C. §112, SECOND PARAGRAPH

Claim 20 stands rejected under 35 U.S.C. §112, second paragraph, for alleged indefiniteness. Specifically, the PTO asserts that the meaning of “a composition for preparing an electrophoresis medium” is unclear.

Applicants respectfully traverse this rejection and submit that claim 20 complies with the requirements of 35 U.S.C. §112, second paragraph, for reasons previously made of record in Applicants’ response to the Office Action of March 22, 2006, which response was submitted to the PTO on June 22, 2006 (*see, e.g.*, page 13, first two full paragraphs, of the response submitted on June 22, 2006). Nevertheless, without acquiescence in the rejection and solely for purposes of advancing the prosecution of the present application and to place the

instant claim in condition for allowance, by amendment herewith the recitation “for preparing an electrophoresis medium” has been deleted from claim 20.

Accordingly, it is submitted that the rejection under 35 U.S.C. §112, second paragraph has been obviated, and withdrawal of the rejection is respectfully requested.

REJECTION UNDER 35 U.S.C. §103(A)

Claim 16 stands rejected under 35 U.S.C. §103(a) over Cole, Nochumson et al., and Cole et al. Specifically, the PTO asserts that the subject matter of claim 16 would have been obvious over the cited documents where claim 16 is not directed to a gellan composition that comprises nucleic acid at a concentration of less than 10 ppm based on the weight of the gellan.

Applicants respectfully traverse this rejection and submit that the encompassed subject matter complies with the requirements of 35 U.S.C. 103(a), for reasons previously submitted to the PTO on January 5, 2007 in Applicants’ Response to the Office Action of October 11, 2006. Nevertheless, without acquiescence in the rejection and solely for purposes of advancing the prosecution of the present application and to place the instant claim in condition for allowance, by amendment herewith claim 16 now includes the recitation “containing nucleic acid at a concentration of less than 10 ppm based on the weight of the gellan”.

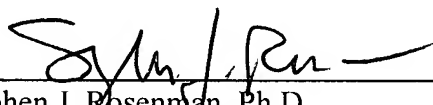
Accordingly, it is submitted that the rejection under 35 U.S.C. §103(a), second paragraph has been obviated, and withdrawal of the rejection is respectfully requested.

The Director is authorized to charge any additional fees due by way of this Amendment, or credit any overpayment, to our Deposit Account No. 19-1090.

All of the claims remaining in the application are now clearly allowable. Favorable consideration and a Notice of Allowance are earnestly solicited. The Examiner is encouraged to contact Applicants' undersigned representative by telephone if it is believed that there remain any unresolved issues in this application.

Respectfully submitted,

SEED Intellectual Property Law Group PLLC

  
\_\_\_\_\_  
Stephen J. Rosenman, Ph.D.  
Registration No. 43,058

SJR:rp

701 Fifth Avenue, Suite 6300  
Seattle, Washington 98104-7092  
Phone: (206) 622-4900  
Fax: (206) 682-6031

925193\_1.DOC